

TEMPE MUNICIPAL COURT

Language Access Plan

I. Legal Basis and Purpose

This document serves as the plan for Tempe Municipal Court to provide to persons with limited English proficiency (LEP) services that are in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.; 45 C.F.R. § 80.1 et seq.; and 28 C.F.R. § 42.101–42.112). The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to LEP parties who have business in Tempe Municipal Court.

This language access plan (LAP) was developed to ensure meaningful access to court services for persons with limited English proficiency. Although court interpreters are provided for persons with a hearing loss, access services for them are covered under the Americans with Disabilities Act rather than Title VI of the Civil Rights Act, and therefore will not be addressed in this plan.

II. Needs Assessment

Tempe Municipal Court will make every effort to provide services to all LEP persons. However, the following list shows the foreign languages that are most frequently used in this court's geographic area.

1. Spanish
2. Somali
3. Vietnamese
4. Arabic
5. Chinese

Interpreters were provided for 23 different languages during the 2010 fiscal year. This information is based on data collected from data from Tempe Municipal Court 2010 case statistics.

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

In the Tempe Municipal Court, interpreters will be provided at no cost to court customers who need such assistance under the following circumstances:

- For litigants and witnesses in criminal and civil hearings

- Attorney/client communications at the time of court appearances;

It is the responsibility of the private attorney, Public Defender or County Attorney to provide qualified interpretation and translation services for witness interviews, pre-trial transcriptions and translations and attorney/client communications during proceedings other than those mentioned above.

2. Determining the Need for an Interpreter in the Courtroom

Tempe Municipal Court may determine whether an LEP court customer needs an interpreter for a court hearing in various ways.

The need for a court interpreter may be identified prior to a court proceeding by the LEP person or on the LEP person's behalf by counter staff or outside justice partners such as police, victim advocates and attorneys or by an LEP party's request either in person, by telephone or in writing.

Tempe Municipal Court has signs in the police/court lobby and in the lobbies of both the civil and criminal divisions to help direct Spanish speakers.

The need for an interpreter also may be made known in the courtroom at the time of the proceeding. In all cases for which an interpreter has been requested, but all reasonable efforts to find one have failed, the case will be postponed and continued on a date when an interpreter can be provided. In rare cases, where it has been impossible to obtain an on-site interpreter, telephonic interpretation services may be used to facilitate court proceedings.

3. Court Interpreter Registry and Listserv

Tempe Municipal Court makes use both of the registry of statewide interpreters and the listserv in order to locate interpreters for less frequently encountered languages and to widen the selection of interpreters for other languages.

B. Language Services Outside the Courtroom

Tempe Municipal Court also ensures that LEP individuals have meaningful access to services outside the courtroom.

To facilitate communication between LEP individuals and court staff, Tempe Municipal Court uses the following resources to the degree that resources are available:

- Staff court interpreters or independent interpreter contractors;
- Bilingual employees;
- "I Speak" cards, to identify the individual's primary language;

- Written information in Spanish on how to access and navigate the court;
- Signage throughout courthouse locations in Spanish;
- Telephonic interpreter services, (from contract interpreters or an agency); and,
- A court public phone line with key instructions provided in Spanish to request court services.

To provide linguistically accessible services for LEP individuals, Tempe Municipal Court provides the following:

- Self-help center services that include bilingual self-help center staff and telephonic language assistance and
- Written informational materials and instructions in Spanish including Protective Order petitions, Personal Safety Plan leaflets and Your Rights leaflets.

C. Translated Forms and Documents

Tempe Municipal Court staff understand the importance of translating forms and documents so that LEP individuals have greater access to the court's services. Currently the following forms and instructional materials are translated into Spanish.

Protective Order petitions, Payment Contract and Public Defender applications, *Your Rights*, *Personal Safety Plan* brochures.

These documents are located in first and second floor lobbies of the Civil and Criminal Divisions.

Tempe Municipal Court also makes use of Protective Order petitions in Chinese, Arabic and Vietnamese provided on the Supreme Court website.

Interpreters at court hearings are expected to provide sight translations of court documents and correspondence associated with the case.

IV. Court Staff and Volunteer Recruitment

A. Recruitment of Bilingual Staff for Language Access

Tempe Municipal Court is an equal opportunity employer and recruits and hires bilingual staff to serve its LEP constituents. Primary examples include but are not limited to:

- Court interpreters to serve as permanent employees of the court;
- Bilingual staff to serve at public counters and or self-help centers.

B. Recruitment of Volunteers for Language Access

Tempe Municipal Court does not currently use volunteers to assist with language access issues. This policy will be reviewed if current needs change.

V. Judicial and Staff Training

Tempe Municipal Court is committed to providing language access training opportunities for all judicial officers and staff members. Training and learning opportunities currently offered will be expanded or continued as needed. Those opportunities include

- Staff Interpreter training;
- Diversity Training;
- Cultural competency training;
- LAP training;
- Basic Spanish for customer service for interested staff;
- New employee orientation training; and,
- Judicial officer orientation on the use of court interpreters and language competency.

VI. Public Notification and Evaluation of LAP

A. LAP Approval and Notification

The Tempe Municipal Court's LAP is subject to approval by the presiding judge and court executive officer. Upon approval, please forward a copy to the AOC Court Services Division. Any revisions to the plan will be submitted to the presiding judge and court executive officer for approval, and then forwarded to the AOC. Copies of Tempe Municipal Court's LAP will be provided to the public on request and made available on the Court's website.

B. Annual Evaluation of the LAP

Tempe Municipal Court will routinely assess whether changes to the LAP are needed. The plan may be changed or updated at any time but reviewed not less frequently than once a year.

Each year the Court Interpreter or a management team designee will review the effectiveness of the court's LAP and update it as necessary. The evaluation will include identification of any problem areas and development of corrective action strategies. Elements of the evaluation will include:

- Number of LEP persons requesting court interpreters and language assistance;
- Assessment of current language needs to determine if additional services or translated materials should be provided;
- Assessment of whether court staff adequately understand LEP policies and procedures and how to carry them out;

- Review of feedback from court employee training sessions; and,
- Customer satisfaction feedback.

C. AOC Language Access Contact:

Carol Mitchell, Court Access Specialist

Court Services Division

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D. LAP Effective date: []

E. Approved by:

Presiding Judge:

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Date: [12.15.11]

Court Executive Officer:

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Date: [12/15/11]